FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Criminal Application No. 2740/2006

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Shri. K.S. Malokar, Adv. for applicant.
Shri A.M. Deshpande, A.P.P. for State.

CORAM : B.R. Gavai, J.
DATED : August 11, 2006.

This is an application for grant of bail.

The applicant is arrested in connection with Crime No. 64/2006 for the offence punishable under section 376 of I.P.C.

The prosecution case is that while the prosecutrix had gone to answer the nature's call, the applicant caught hold of her and committed forcible intercourse with her. It is the prosecution case that when the cousin of the prosecutrix namely Vijaysingh saw this, he beat present applicant.

Shri Deshpande, the learned A.P.P. vehemently opposed the application. He submitted that the applicant is charged with heinous crime and as such he is not entitled for bail.

The investigation is complete. Charge sheet is filed. I have perused the medical report which shows that there is no injury on the private

part. Also there is no external injury on the person of the prosecutrix.

In that view of the matter, I am inclined to allow the present application.

The applicant is directed to be released on bail on his furnishing bail bond in the sum of Rs. 15,000/- with one surety in the like amount. Till completion of the trial, the applicant shall not enter village Sukoda, Tahsil & District Akola. He shall report to the Police Station, Old City, Akola on first Sunday of every month at 11 A.M.

The observations herein above are made upon prima facie appreciation of the evidence brought on record and the learned trial Court shall not be influenced by the same, while deciding the case on merits.

JUDGE

RMP